

ORDER OF THE STATE PERSONNEL BOARD

PETER S. HERRERA,

Complainant,

vs.

DEPARTMENT OF HUMAN SERVICES, DIVISION OF YOUTH CORRECTIONS,

Respondent.

This matter is before the Colorado State Personnel Board ("Board") at its regularly scheduled public session held on August 19, 2008. During this public session, the Board considered the record on appeal, including but not limited to:

1. Order Denying Request for Extension of Time; Dismissal Order;
2. Board Review Brief;
3. Respondent's Answer Brief;
4. Complainant's Reply Brief.

Based upon the Board's review and consideration,

IT IS HEREBY ORDERED that the Order Denying Request for Extension of Time; Dismissal Order is adopted and made an Order of the Board with respect to the disciplinary termination only.

IT IS FURTHER ORDERED that the matter is referred to the State Personnel Director for a Director's Review regarding selection issues, including the removal of Complainant's name from the eligibility list for rehire.

Dated this 20th day of
August, 2008.



Rich Djokic, Board Chair
State Personnel Board
633 17th Street, Suite 1320
Denver, Colorado 80202-3604

NOTICE OF APPEAL

Each party has the following rights:

1. To abide by this decision of the State Personnel Board; or
2. To appeal this decision to the Colorado Court of Appeals within 45 days pursuant to Section 24-4-106(11), C.R.S., as provided in Section 24-50-125.4(3), C.R.S.

In the event the decision is appealed, pursuant to Section 24-4-106(11)(b), C.R.S., the party filing the appeal with the Court of Appeals must serve the State Personnel Board with a copy of the Notice of Appeal at: 633 17th Street, Suite 1320, Denver, Colorado 80202-3604. In addition to serving the State Personnel Board with a copy of the Notice of Appeal, the party filing the appeal with the Court of Appeals must name the State Personnel Board as a party (appellee) to the appeal. Section 24-4-106(11)(d), C.R.S.

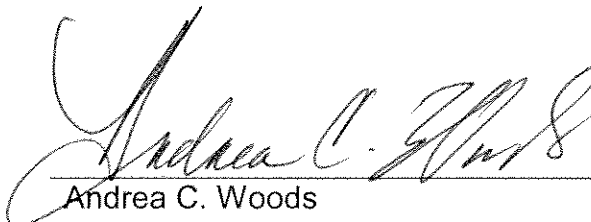
CERTIFICATE OF MAILING

This is to certify that on the 31st day of September 2008, I placed true copies of the foregoing **ORDER OF THE STATE PERSONNEL BOARD**, in the United States mail, postage prepaid, addressed as follows:

Peter S. Herrera
501 East Evans Avenue
Pueblo, Colorado 81004

And in interagency mail:

Michelle Brissette Miller
Assistant Attorney General
Employment Section
1525 Sherman Street, 5th Floor
Denver, Colorado 80203


Andrea C. Woods